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MAIL STOP : No Fee Amendment
EXAMINER : LARKIN, Daniel Sean
FACSIMILE : (703) ~~746-4850~~ 872-4306
SUBJECT : Application Serial No 10/702,197 Filed November 5, 2003

FROM : Gregory S. Smith
FAX DATE : May 11, 2004
LAVA GROUP FILE #: 07006.1011

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Item being transmitted	Pages
<input checked="" type="checkbox"/> Transmittal Form	1
<input checked="" type="checkbox"/> Response to Non-Compliant Amendment	6
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Total Pages Including Cover Sheet	8

COMMENTS:

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PTO/SB/21 (02-04)

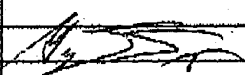
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/702,197	
	Filing Date	November 5, 2003	
	First Named Inventor	GHERTNER, Steven A.	
	Art Unit	2856	
	Examiner Name	LARKIN, Daniel Sean	
Total Number of Pages in This Submission	7	Attorney Docket Number	07006.1011

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> Alter Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Response to Non-Compliant Amendment under 37 CFR 1.121		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	LAVA Group Law by Smith & Frohwein, LLC
Signature	
Date	May 11, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Gregory Scott Smith		
Signature		Date	May 11, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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003/008

MAY 11 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Ghertner, et al

Serial No.: 10/702,197

Filed: November 5, 2003

Title: TANK LEAK DETECTION AND
REPORTING SYSTEM

§
§ Group Art Unit: 2856
§ Examiner: LARKIN, Daniel Sean
§
§ Atty. Docket #: 07006.1011
§
§
§
§
§

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Commissioner for Patents, USPTO

P.O. Box 1450

Alexandria, VA 22313-1450

To the Office:

The Office mailed a Notice of Non-Compliant Amendment based on 37 CFR 1.121 to the applicants' attorney on May 6, 2004. The notice stated that some of the submitted claims did not include the appropriate status indicators as required under 37 CFR 1.121. In compliance with the Office's request, the applicants are resubmitting the entire "Amendments to the Claims" section of the applicants' preliminary amendment submitted on November 5, 2003. The status of each claim has been added.

Respectfully submitted,

By: 

Gregory Scott Smith

Reg. No. 40,819

Attorney for Applicant

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